

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

VS.

ROBERT H. MILLER

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§

CRIMINAL ACTION NO. 1:93-CR-0225-001

USM No. 04609-078

Defendant's Attorney: FPD Patrick Black

Date of Previous Judgment: 6/03/1994

(Use Date of Last Amended Judgment, if Applicable)

ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. §3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the Court under 18 U.S.C. §3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. §994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ **DENIED.** ☒ **GRANTED** and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 210 months is **reduced to** _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to any Departures)

Previous Offense Level: 35

Amended Offense Level: 33

Criminal History Category: III

Criminal History Category: III

Previous Guideline Range: 210 to 240 months

Amended Guideline Range: 168 to 210 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other. (**explain**):

III. ADDITIONAL COMMENTS

If the term of imprisonment exceeds the amount of time the defendant has already served, the sentence is reduced to "time served." This Order is subject to the prohibition contained in U.S.S.G. § 1B1.10(b)(2)(C). Moreover, imposition of this order shall be stayed until ten (10) days after the effective date.

Except as provided above, all provisions of the judgment dated 6/03/1994 shall remain in effect.

IT IS SO ORDERED.

Order Date

UNITED STATES DISTRICT JUDGE

Effective Date (if different from order date)